

REMARKS

Claims 1, 5-6, 10-11 and 15 are pending. By this Amendment, independent claims 1, 6 and 11 are amended to even more clearly distinguish over the applied references and for clarity and consistency. Claims 5, 10 and 15 are amended to agree with their respective independent claims. No new matter is added by these amendments. Claims 2-4, 7-9 and 12-14 are cancelled.

Claims 1-4, 6-9 and 11-14 stand rejected under 35 U.S.C. §102(e) over Asami (U.S. Patent No. 7,007,464). The rejection is respectfully traversed.

Asami does not disclose each and every feature of independent claims 1, 6 and 11. Asami fails to disclose "a switch to be operated by a driver for running the vehicle only by the electric motor supplied by electric power from the charging mechanism...". Asami does not disclose a first control means/unit or corresponding step for "...running the vehicle only by the electric motor supplied with electric power...under conditions that the switch is turned on..." nor does Asami disclose a prohibition means/unit or corresponding step "...for prohibiting control by the first control means when a remaining amount of electric power of the charging mechanism is smaller than an amount which is determined by...".

The features of independent claims 1, 6 and 11 allow a driver to elect to run a vehicle only by the electric motor using a switch and provides for warming of a catalyst when it is determined that warming-up is required. Even when the switch is turned on, the features recited in claims 1, 6 and 11 prohibit running the vehicle by the electric motor alone when a remaining amount of the charging mechanism is smaller than an amount determined as recited in the claims. This prevents control by the first control unit when electric power stored in the charging mechanism is too low. The procedure described in the Fig. 2 flow chart of Asami, relied upon in the Office Action, occurs when the vehicle engine is operated and does not provide for running of a vehicle only by an electric motor. See Fig. 2 Step S10.

Thus, Asami does not disclose each and every feature of independent claims 1, 6 and 11.

Withdrawal of the rejection is respectfully requested.

Claims 5, 10 and 15 stand rejected under 35 U.S.C. §103(a) over Asami in view of Tabata (U.S. Patent No. 6,719,076). The rejection is respectfully traversed. Tabata does not overcome the deficiencies of Asami with respect to independent claims 1, 6 and 11.

Accordingly, claims 5, 10 and 15 are patentable for at least the reasons set forth above with respect to their respective independent claim 1, 6 and 11. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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